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April 20, 2021

Via ECF & E-mail

The Honorable Pamela K. Chen
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *United States v. Brendan Hunt*, No. 21-cr-0086 (PKC)

Your Honor:

The Court has requested that counsel for the Defendant submit a letter brief articulating its position as to the proposed testimony of Nicole Kwasnaza and accompanying evidence.

We do not object to the Government's offer of testimony of Nicole Kwasnaza under FRE 701. Instead, we ask the Court to direct the Government to provide a description of the witness's opinions as contemplated by FRCP 16(a)(1)(D) ("if [reports of computer analysis] have not been made, provide a description of the witnesses' opinions, the bases and reasons thereof").¹

This notice would ensure compliance with the Court's ruling at ECF 66-1. The FTK analysis we received on April 16, 2021, contains many more items flagged as evidence beyond those permitted in the Court's 404(b) ruling:

GX 50: Table showing file extraction from 1B2 – personal computer indicating that the attached document created on 11/6/2020 at 10:48:30.904295 UTC.

GX 51: Table showing "Record of Browser Cookies from 1B1 – ZTE GSM Z981 Blade Spark, and indicating seven rows with the "Domain" .dailystormer.su, and including "Source" UME Browser, and UTC creation times.

¹ The FTK provided on April 16, 2021, is an analysis, not a report, and cannot be printed out and provided to the Court.

GX 52: Table showing “Record of Document from 1B1 – ZTE GSM Z971 Blade Spark, indicating a document named Protocols of Learned Elders of Zion deleted on 9/7/2020.

Thank You for Your attention to this matter.

Respectfully Submitted,

/s/

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